

ACT 140

S.B. NO. 1200

A Bill for an Act Relating to Thrill Craft.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 200-23, Hawaii Revised Statutes, is amended as follows:

1. By amending the definition of “commercial high speed boating” to read:

““Commercial high speed boating” means the use of an open [ocean racing] power boat to provide high speed rides to passengers who pay compensation for the rides. “Commercial high speed boating” does not include:

- (1) The use of an open ocean racing boat during an official racing competition; or
- (2) The use of an open ocean racing boat while practicing for racing competition; provided that no passenger pays compensation for riding the boat during the practice.”

2. By amending the definition of “thrill craft” to read:

““Thrill craft” means any motorized vessel that falls into the category of personal watercraft, and which:

- (1) Is generally less than thirteen feet in length as manufactured;
- (2) Is generally capable of exceeding a speed of twenty miles per hour; [and]
- (3) Can be operated by a single operator, but may have the capacity to carry passengers while in operation[.]; or
- (4) Is designed to provide similar operating performance as a personal watercraft through a combination of small size, power plant, and hull design.

The term includes, but is not limited to, a jet ski, waverunner, wet bike, surf jet, miniature speed boat, hovercraft, and every description of vessel which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion, and is designed to be operated by a person or persons sitting, standing, or kneeling on, or being towed behind the vessel.”

SECTION 2. Section 200-37, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) No person shall engage in commercial high speed boating or operate an open [ocean racing] power boat capable of exceeding 40 miles per hour for commercial high speed boating purposes in the waters of the State, except:

- (1) In areas, along routes, and during time periods designated by the department; and
- (2) [Through areas designated by the department to serve as avenues for the ingress and egress of open ocean racing boats between the areas designated under paragraph (1) and the shore.] In accordance with a permit issued by the department.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 9, 1995.)